

REGULAR CITY COUNCIL MEETING  
MARCH 23, 1992

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Rex Harris	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
H. Doyle Bender	City Treasurer
Bryce Ashby	Fire Chief
Vern Fisher	Sunrise Engineering
Rochelle Watts	City Resident
Rita Byrd	Public Works Secretary
Virginia Taylor	Deputy City Recorder
Carol Howell	City Secretary
Kate Hellenbrand	Chronicle/Progress

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Dekker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held March 9, 1992, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the

motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$46,699.54. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

##### ATTORNEY RICHARD WADDINGHAM: DELTA CITY PERSONNEL POLICY

Mayor Dafoe asked Attorney Richard Waddingham to present the Delta City Personnel Policy.

Attorney Waddingham said that he recently met with Sandy City's Attorney regarding the personnel policy, and he will have some drafts prepared for the next Regular City Council Meeting.

##### ATTORNEY RICHARD WADDINGHAM: ORDINANCE ADOPTING PROCEDURES FOR IRRIGATION WATER DELIVERED THROUGH THE DELTA CITY DITCH SYSTEM

Mayor Don Dafoe asked Attorney Richard Waddingham to present an ordinance adopting procedures for irrigation water delivered through the Delta City ditch system.

Attorney Richard Waddingham presented the following proposed ordinance entitled:

#### ORDINANCE 92-143

##### AN ORDINANCE ADOPTING PROCEDURES FOR IRRIGATION WATER DELIVERED THROUGH THE DELTA CITY DITCH SYSTEM.

Following discussion, Council Member Robert Droubay MOVED to adopt Ordinance No. 92-143 as presented. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

NEW BUSINESS

ROCHELLE WATTS, CITY RESIDENT: PROPOSED VACATION OF DELTA CITY RIGHT-OF-WAY IN BLOCK 75

Mayor Dafoe asked Rochelle Watts, City Resident, to address the Council regarding a proposed vacation of a Delta City right-of-way in Block 75.

Rochelle Watts addressed the City Council and explained that she is in the process of settling her father's, Lester W. Cropper, estate and is selling his property. He owns two parcels of property in Lot 4, Block 75. On the Delta City Plat Map, Delta City owns a strip of property that runs between the two parcels of property. Ms. Watts said that to her knowledge there is no public access to that property, and she requested that the City Council deed the property between her father's two properties to her in order to make the properties contiguous.

Attorney Richard Waddingham said that the purpose or intent of that City owned property needs to be determined in order to decide what procedure needs to be followed. He said that if that property was originally deeded for the purpose of an alley or street, the City Council needs to follow the procedures for a street vacation. If it was not intended for an alley or street a Quit Claim deed would be sufficient.

Public Works Director Neil Forster said that he would like the City Council to look at the entire parcel of Delta City owned property in Block 75 to see if there is some equitable way to give the City owned property in that block back to the property owners.

Following further discussion, Council Member Robert Dekker MOVED to table this item in order to allow Attorney Waddingham time to research the intent of the property in question. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The voting passed unanimously.

MAYOR DON DAFOE: SALE OF CITY PARK WITHIN MOBILE HOME PARK

Mayor Dafoe reminded the City Council of a letter from John Deasy to Dorothy Jeffery regarding the purchase of the City owned park located within the Rancho Mobile Home Park.

Mayor Dafoe said that at the last Regular City Council Meeting several Council Members were in favor of accepting Mr. Deasy's offer of \$2,500 cash for the land and improvements as they now

stand. Mr. Dafoe asked for comments regarding Mr. Deasy's proposal.

City Recorder Dorothy Jeffery said that she talked with Mr. Deasy prior to the meeting, and he requested authorization to allow a portion of the Rancho Mobile Home Park to set RV trailers during the construction of the natural gas pipeline.

Public Works Director Neil Forster said that the park needs to be set up for RV trailers and that temporary trailers need to be separated from permanent trailers within the park.

City Recorder Dorothy Jeffery said that a business license would also be required from Mr. Deasy for an RV Park.

The City Council spoke in favor of Mr. Deasy's proposal for an RV park as long as he complies with the Delta City Ordinances before any trailers are permitted there.

Council Member Rex Harris MOVED to accept Mr. Deasy's offer of \$2,500 for the 3.04 acre city park and improvements as they now stand in the Rancho Mobile Home Park. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

VERN FISHER, SUNRISE ENGINEERING: ENGINEERING AGREEMENT PROPOSAL FOR DOWNTOWN BEAUTIFICATION PROJECT - CDBG

Mayor Dafoe asked Vern Fisher, Sunrise Engineering, to present an engineering agreement proposal for the Downtown Beautification Project - Community Development Block Grant (CDBG).

Vern Fisher, Sunrise Engineering, presented a proposal for engineering services between Delta City and Sunrise Engineering for the downtown beautification project - Community Development Block Grant (CDBG).

Mr. Fisher said that Delta City has applied for a \$90,000 Community Development Block Grant for the purpose of a downtown beautification project. He said that the total grant money available to Millard County/Delta City is \$90,000 if the grant is approved. Mr. Fisher reviewed a proposed contract in detail with the City Council. He said that the proposed cost of engineering for the beautification project is \$52,000 for final design and \$29,000 for preliminary design.

Several corrections and additions were discussed. Attorney Waddingham said that the proposed contract will only be binding contingent upon Delta City receiving the CDBG grant and such language should be included in the contract.

Mr. Fisher said that construction cannot begin until the grant has been awarded. Once the grant is awarded, the preliminary phase of the project will take approximately three to four months and the design phase of the project will take approximately 180 days.

Discussion was held regarding the proposed engineering costs. Mr. Fisher agreed that the engineering costs of the project should not exceed 90%-100% of the grant money received.

Following discussion, Council Member Robert Droubay MOVED to table discussion of this item to allow Attorney Waddingham time to review and discuss the proposed contract further with Sunrise Engineering. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: QUIT CLAIM DEED FROM DELTA CITY TO MILLARD SCHOOL DISTRICT REGARDING PARCEL OF PROPERTY WHICH AFFECTS TITLE TO THE DELTA SWIMMING POOL PROPERTY

Mayor Dafoe asked Attorney Richard Waddingham to present a Quit Claim Deed from Delta City to Millard School District regarding a parcel of property which affects the title to the Delta swimming pool property.

Attorney Waddingham presented a Quit Claim Deed from Delta City to Millard County School District on the following described tract of land located within Delta City:

The southernmost 104.0 feet of that portion of  
Second East Street lying between Blocks 92 and  
93 of Pleasant Village Subdivision Plat "B".

Mr. Waddingham said that the property described above is the property that the Delta swimming pool is located on. He explained that an ordinance was adopted in 1986 authorizing the Mayor to sign a deed conveying the above mentioned property to the Millard School District. The ordinance was passed but the deed was never delivered and recommended that the City Council authorize Mayor Dafoe to do so.

Following discussion, Council Member Robert Dekker MOVED to authorize Mayor Dafoe to sign the Quit Claim Deed to Millard County School District. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe then signed the Quit Claim Deed and it was attested by City Recorder Dorothy Jeffery.

CITY RECORDER DOROTHY JEFFERY: DELTA CITY FINANCIAL REPORTS

Mayor Dafoe asked City Recorder Dorothy Jeffery to present Delta City financial reports.

City Recorder Dorothy Jeffery first presented and explained the Delta City General Fund account. She presented a proposal to improve the financial reporting system used to account for City funds.

She explained that all City funds are invested with the State Treasurer in Account No. 322. When funds are needed in the checking account a transfer is requested from the 322 Account and a wire transfer is made and funds are deposited into the checking account at Zion's Bank. She said that improper and unaccountable transfers have been made to the General Fund in the past causing overdrafts in several accounts. There was an \$80,000 overdraft in the O & M Water Fund in February that can not be accounted for. She also said that several accounts have credit balances where there should be zero balances. Interest is not being credited to proper accounts, and in some accounts interest is not being collected at all.

Mrs. Jeffery recommended that four new accounts be established with the State Treasurer for Water, Water Capital Reserve, Sewer and Sewer Capital Reserve accounts.

Attorney Waddingham stated that the State statute requires strict accounting for committed funds and there is no accounting for these funds at the present time. He asked why the auditors have not mentioned this problem. Mrs. Jeffery said that if discussion were to be held regarding this, closed session would be required.

Mrs. Jeffery then said that the 1992-1993 Budget session is approaching and feels that the City Council needs to understand the financial reporting procedure. From this date all major transfers will come before the City Council and the responsibility will be upon the City Council for approval or denial of transfers.

Again, Attorney Waddingham asked why the Water and Sewer accounts were not properly accounted for. He said that there should be a proper accounting of disbursements in all accounts.

Mrs. Jeffery then presented and explained the following cash account at Zion's Bank:

GENERAL LEDGER ACCOUNT BALANCES  
Period Ending 02-28-92  
Fund 010 To 072

FND	DPT	ACCOUNT NUMBER	ACCT TYPE	ACCT. DESC.	CURRENT PERIOD	YEAR TO DATE
010	010	11110000	B	Cash in Bank	30,456.49CR	1,565.66CR
011	570	11110000	B	Cash in Bank	.00	.00
030	030	11110000	B	Cash in Bank	26,260.00CR	.00
030	300	11110000	B	Cash in Bank	26,260.00	20,498.99
031	310	11110000	B	Cash in Bank	12,052.00	12,985.28
032	320	11110000	B	Cash in Bank	4,710.11CR	4,038.51CR
034	340	11110000	B	Cash in Bank	1,369.09	5,550.85CR
044	044	11110000	B	Cash in Bank	.00	22,747.52CR
047	047	11110000	B	Cash in Bank	50,000.00CR	.00
047	470	11110000	B	Cash in Bank	50,000.00	15,738.17
051	510	11110000	B	Cash in Bank	23,361.17CR	80,561.56CR
052	520	11110000	B	Cash in Bank	1,967.61	10,849.03CR
Company Totals					43,139.07CR	76,090.69CR

Mrs. Jeffery recommended that no more than \$5,000 be kept in the checking account in the General Fund; and after each Accounts Payable batch and payroll, all transfers will be made from the proper accounts at the State Pool to cover those checks.

Council Member Gayle Bunker MOVED to authorize City Recorder Dorothy Jeffery to set up four new accounts with the State Treasurer. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. Council Member Alan Burraston asked for clarification as to who would be conducting the research to reconcile the accounts. He asked if it was the City Recorder's responsibility or the City Treasurer's responsibility. Mrs. Jeffery responded that she was going to handle the problem and would reconcile the accounts then she would turn it back over to the City Treasurer. Mayor Dafoe then called for a vote. The motion passed unanimously.

Mayor Dafoe said that Mrs. Jeffery would work in conjunction with Treasurer Doyle Bender but after it is all set up it is going to be Mr. Bender's responsibility to make sure that this accounting system works and if it doesn't then he knows the consequences.

Mrs. Jeffery said that by the next Regular City Council Meeting the accounts would be established and she would give another financial report at that meeting.

OTHER BUSINESS

Mayor Dafoe allowed Allen Wardle, GTE, time to address the City Council.

Mr. Wardle explained that due to cut backs, defense communication and military communication system changes over the past few years, the Delta Autovon site will be closing May 31, 1992. Mr. Wardle said that the closing of the Autovon site will unemploy seven individuals.

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Mayor Dafoe said that the time will expire at the end of the month for the temporary office help, and he recommended that she be hired for another month. He also recommended that a full-time position be budgeted for in the 1992-1993 budget. The Council was in favor of keeping the temporary office help for one more month.

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Fire Chief Bryce Ashby requested City Council's authorization to purchase firework for the Fourth of July. He said that the cost would be approximately \$3,000 plus insurance. The Council authorized Chief Ashby to purchase the same fireworks display as last year.

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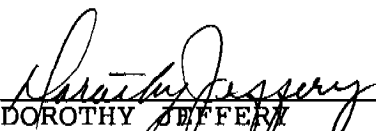
Council Member Robert Droubay was assigned to find a Chairman for the Fourth of July celebration.

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Council Member Robert Droubay said that he has had complaints from downtown business owners regarding dust and dirt on Main Street. Discussion was held concerning a method of keeping the streets clean.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 9:00 p.m.

  
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DON DAFOE, Mayor

  
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DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: RCCM 4-13-92